



General Assembly

January Session, 2005

Raised Bill No. 6635

LCO No. 3107

03107_____JUD

Referred to Committee on Judiciary

Introduced by:
(JUD)

***AN ACT CONCERNING THE ILLEGAL SALE OR POSSESSION WITH
INTENT TO SELL OF COCAINE.***

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

1 Section 1. Subsection (a) of section 21a-278 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2005*):

4 (a) Any person who manufactures, distributes, sells, prescribes,
5 dispenses, compounds, transports with the intent to sell or dispense,
6 possesses with the intent to sell or dispense, offers, gives or
7 administers to another person one or more preparations, compounds,
8 mixtures or substances containing an aggregate weight of one ounce or
9 more of heroin, methadone or cocaine or an aggregate weight of [one-
10 half gram] one ounce or more of cocaine in a free-base form or a
11 substance containing five milligrams or more of lysergic acid
12 diethylamide, except as authorized in this chapter, and who is not, at
13 the time of such action, a drug-dependent person, shall be imprisoned
14 for a minimum term of not less than five years nor more than twenty
15 years; and, a maximum term of life imprisonment. The execution of the
16 mandatory minimum sentence imposed by the provisions of this

17 subsection shall not be suspended except the court may suspend the
18 execution of such mandatory minimum sentence if at the time of the
19 commission of the offense (1) such person was under the age of
20 eighteen years, or (2) such person's mental capacity was significantly
21 impaired but not so impaired as to constitute a defense to prosecution.

This act shall take effect as follows and shall amend the following sections:		
---	--	--

Section 1	October 1, 2005	21a-278(a)
-----------	-----------------	------------

Statement of Purpose:

To eliminate the disparity in the amount of powder cocaine and crack cocaine that subjects a person to the penalties for the illegal sale or possession with intent to sell of cocaine.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]